



## Rowan County Planning and Development Department

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To: Rowan County Zoning Board of Adjustment  
From: Becky Bost, Ordinance Enforcement Officer  
Date: April 27, 2010  
Re: ZBA 01-10 – Setback Variance Request for 145 Wesminster Court

### **STAFF REPORT**

#### **PROPERTY CHARACTERISTICS**

Tax Parcel 406B138 is a .79-acre lot (#71) located in the Stafford Estates residential development off of Old Concord Road. The lot has 120 feet of frontage along Wesminster Court (subdivision street) and is located on a cul-de-sac (See *Attachment B*). The property is zoned *Residential Suburban (RS)*. The minimum front-yard setback in this district for a principal structure is 50 feet from the edge of the right-of-way.

#### **BACKGROUND**

On April 6<sup>th</sup>, 2010, Tony A. Basinger, Jr. owner of TAB Construction obtained a zoning permit for the construction of a 3,641ft<sup>2</sup> single-family dwelling (See *Attachment C*). The square footage of the structure includes the heated area, an attached garage and a porch. After the foundation of the home was completed, Mr. Basinger contacted *Shulenburg Surveying* to complete a foundation survey. This type of survey is typically required by lending institutions before the final draw can be made on a construction loan. The results of the survey indicated the garage portion of the dwelling is encroaching 13.35 feet into the minimum 50-foot front-yard setback. Mr. Basinger brought a copy of the survey to the Planning Department on April 16<sup>th</sup>, 2010 to discuss the potential options available in order to leave the structure in place. Staff advised Mr. Basinger he would need to seek a setback variance. Mr. Basinger submitted his application for a setback variance on April 20<sup>th</sup>, 2010.

#### **REQUEST**

The applicant, Mr. Basinger is requesting a setback variance per Article XIII- Section 21-333 (Variances from setback requirements) of the *Rowan County Zoning Ordinance*. The applicant seeks a 13.35-foot reduction of the 50-foot minimum front-yard setback (See *Attachment A*).